

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
NEWNAN DIVISION

UNITED STATES OF AMERICA,

PLAINTIFF,

v.

\$447.00 IN UNITED STATES
CURRENCY; \$9,474.00 IN UNITED
STATES CURRENCY; \$250.00 IN
UNITED STATES CURRENCY;
\$400.00 IN UNITED STATES
CURRENCY; \$3,016.15 IN FUNDS
SEIZED FROM CAPITAL ONE BANK
ACCOUNT NUMBER XXXXXX9229,
HELD IN THE NAME OF WAYNE J.
HAWKINS; \$10,337.39 IN FUNDS
SEIZED FROM SYNOVUS BANK
ACCOUNT NUMBER XXX3501,
HELD IN THE NAME OF
CATHERINE V. HAWKINS AND
WAYNE J. HAWKINS; \$29,283.89 IN
FUNDS SEIZED FROM SYNOVUS
BANK ACCOUNT NUMBER
XXX9993, HELD IN THE NAME OF
CATHERINE V. HAWKINS AND
WAYNE J. HAWKINS; \$92,192.01 IN
FUNDS SEIZED FROM REGIONS
BANK ACCOUNT NUMBER
XXXXXX7651, HELD IN THE NAME
OF HAWK INNOVATIVE TECH
LLC; \$101,304.41 IN FUNDS SEIZED
FROM GEORGIA'S OWN CREDIT
UNION ACCOUNT NUMBER

CIVIL ACTION No.

3:21-cv-00122-TCB

XXXX4037, HELD IN THE NAME OF
CATHERINE V. HAWKINS AND
WAYNE J. HAWKINS; \$48,177.33 IN
FUNDS SEIZED FROM GEORGIA'S
OWN CREDIT UNION ACCOUNT
NUMBER XXXX4135, HELD IN THE
NAME OF CATHERINE V.
HAWKINS AND WAYNE J.
HAWKINS; AND VARIOUS
PRECIOUS METALS , BARS AND
COINS DESCRIBED IN
ATTACHMENT A,

DEFENDANTS.

NOTICE OF FILING COMPLAINT FOR FORFEITURE

**TO: Catherine Hawkins
1400 Indian Creek Road
Bowdon, Georgia 30108**

A civil complaint seeking forfeiture pursuant to various statutes including 18 U.S.C. § 981(a)(1)(A) and 18 U.S.C. § 981(a)(1)(C) was filed on July 30, 2021, in the United States District Court for the Northern District of Georgia by Cynthia B. Smith, Assistant United States Attorney, on behalf of the United States of America, Plaintiff, against \$447.00 in United States Currency ("Defendant \$447.00"); \$9,474.00 in United States Currency ("Defendant \$9,474.00"); \$250.00 in United States Currency ("Defendant \$250.00"); \$400.00 United States Currency ("Defendant \$400.00") (collectively, the "Defendant Currency"); \$3,016.15 in

funds seized from Capital One Bank Account Number XXXXXX9229, held in the name of Wayne J. Hawkins (“Defendant \$3,016.15”); \$10,337.39 in funds seized from Synovus Bank Account Number XXX3501, held in the name of Catherine V. Hawkins and Wayne J. Hawkins (“Defendant \$10,337.39”); \$29,283.89 in funds seized from Synovus Bank Account Number XXX9993, held in the name of Catherine V. Hawkins and Wayne J. Hawkins (“Defendant \$29,283.89”); \$92,192.01 in funds seized from Regions Bank Account Number XXXXX7651, held in the name of Hawk Innovative Tech LLC (“Defendant \$92,192.01”); \$101,304.41 in funds seized from Georgia’s Own Credit Union Account Number XXXX4037, held in the name of Catherine V. Hawkins and Wayne J. Hawkins (“Defendant \$101,304.41”); \$48,177.33 in funds seized from Georgia’s Own Credit Union Account Number XXXX4135, held in the name of Catherine V. Hawkins and Wayne J. Hawkins (“Defendant \$48,177.33”) (collectively, the “Defendant Funds”); and Various Precious Metals, Bars and Coins described in Attachment A (“Defendant Metals, Bars and Coins”).

The Complaint alleges that the Defendant Currency, Defendant Funds and Defendant Metals, Bars and Coins may, for the causes stated in the Complaint, be forfeited to the United States.

To contest forfeiture of the Defendant Currency, Defendant Funds and Defendant Metals, Bars and Coins, any person claiming an interest in the Defendant Currency, Defendant Funds and Defendant Metals, Bars and Coins who received direct notice of the forfeiture action must file a verified claim with the Clerk of this Court pursuant to Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions (“Supplemental Rules”) 35 days after the notice is sent. See Supplemental Rule G(5). In addition, any person who files such a claim shall file an answer to the Complaint, or a motion under Rule 12 of the Federal Rules of Civil Procedure, no later than 21 days after the filing of the claim. See Supplemental Rule G(5)(b).

Supplemental Rule G(5)(a) provides in pertinent part: “(i) a person who asserts an interest in the defendant property may contest the forfeiture by filing a claim in the court where the action is pending . . .” and “must (A) identify the specific property claimed; (B) identify the claimant and state the claimant’s interest in the property; (C) be signed by the claimant under penalty of perjury; and (D) be served on the government attorney designated under Rule G(4)(a)(ii)(C) or (b)(ii)(D).” See Supplemental Rule G(5)(a). Supplemental Rule G(5)(b) provides in pertinent part: “[a] claimant must serve and file an answer to the complaint or a motion under Rule 12 within 21 days after filing the claim.”

The claim and answer shall be filed with the Office of the Clerk of Court, United States District Court for the Northern District of Georgia, Newnan Division, 18 Greenville Street, Newnan, Georgia 30264, with copies of each served upon Assistant U.S. Attorney Cynthia B. Smith, 75 Ted Turner Drive, SW, Suite 600, Atlanta, GA 30303.

In accordance with Supplemental Rule G(4)(b) , on August 16, 2021, Plaintiff sent this notice by certified mail, return receipt requested, and via regular U.S. Mail, to every person or entity who reasonably appeared to be a potential claimant to the Defendant Funds on the facts known to Plaintiff.

Therefore, a verified claim must be filed on or before September 20, 2021 (35 days from when notice was filed), and an answer to the complaint or a motion under Rule 12 within 21 days thereafter.

Respectfully submitted,

KURT R. ERSKINE

Acting United States Attorney

/s/ Cynthia B. Smith

CYNTHIA B. SMITH

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